

## MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC  
January 12, 2006

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of the Municipal Building, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Bishop T. L. Davis and the pledge of allegiance to the flag led by Council Member Dunn. The following were present.

Mayor Robert D. Parrott  
Mayor Pro-Tem Mildred A. Council  
Council Member Ray Craft  
Council Member Pat Dunn  
Council Member Rose H. Glover  
Council Member Chip Little  
Council Member Larry Spell  
Wayne Bowers, City Manager  
Wanda T. Elks, City Clerk  
David A. Holec, City Attorney

### APPROVAL OF AGENDA

City Manager Bowers suggested that the agenda be amended by moving the presentation by Keep America Beautiful to the first item under new business and by adding a closed session to establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Council to approve the agenda as presented with the amendments suggested by the City Manager. Motion carried unanimously.

### SPECIAL RECOGNITIONS

Mr. Braxie L. Cox was presented with a plaque upon his retirement with 20 years 1 month of service in the Public Works Department.

### APPOINTMENTS TO BOARDS AND COMMISSIONS

#### Citizens Advisory Commission on Cable Television

Motion was made by Council Member Spell and seconded by Council Member Little to appoint Tim Hudson to fill an unexpired term expiring March 2006, replacing A. Eric Anderson, who resigned; to appoint Jake Postma to fill an unexpired term expiring March 2007, replacing Scott

Hurst, who resigned; to appoint Lee Armstrong to fill an unexpired term expiring March 2008, replacing Michael Russ, who resigned; and to appoint Frank Schenck to fill an unexpired term expiring March 2008 replacing Archie Smith, who resigned. Motion carried unanimously.

#### Environmental Advisory Commission

Motion was made by Council Member Pat Dunn and seconded by Mayor Pro-Tem Council to appoint Hugh Cox to fill an unexpired term expiring April 2008 replacing Lisa Overton, who resigned. Motion carried unanimously.

#### Firemen's Relief Fund Committee

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to reappoint Wanda Elks to a seventh term expiring January 2008. Motion carried unanimously.

#### Historic Preservation Commission

Motion was made by Council Member Dunn and seconded by Council Member Craft to reappoint Dennis Chestnut to serve a first three-year term, expiring January 2009, and reappoint Greg Jarrell and Franceine Rees to second three-year terms, expiring January 2009. Motion carried unanimously.

#### Human Relations Council

Motion was made by Council Member Dunn and seconded by Council Member Craft to appoint Stanley Howard to fill an unexpired term expiring October 2005, replacing Sheontee Ferebee, who resigned, and appoint Keisha Staton to fill an unexpired term expiring October 2005, replacing Tausca Williams, who resigned. Motion carried unanimously.

#### Public Transportation and Parking Commission

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Little to reappoint Margaret Dixon, Margaret Gemperline and Robert Thompson to second three-year terms, expiring January 2009. Motion carried unanimously.

#### RESOLUTION DESIGNATING AN ALTERNATE COMMISSIONER TO THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY BOARD OF COMMISSIONERS - ADOPTED

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to appoint Council Member Chip Little as First Alternate Commissioner to the North Carolina Eastern Municipal Power Agency. Motion carried unanimously. (Resolution No. 06-03)

PRESENTATION BY KEEP AMERICA BEAUTIFUL, INC. AND PUBLIC WORKS STAFF REGARDING THE CITY OF GREENVILLE APPLYING TO BECOME AN AFFILIATE OF KEEP AMERICA BEAUTIFUL

Mr. Ken Jackson, Building and Grounds Superintendent, informed the Council that both the Environmental Advisory Commission and Community Appearance Commission endorse the City of Greenville becoming an affiliate of Keep America Beautiful. Becoming a Keep America Beautiful affiliate requires authorization by City Council to submit an application. Once the application is submitted, Keep America Beautiful will provide pre-certification training. The Greenville Keep America Beautiful organization will be managed through the Public Works Department with existing staff. The organization will be established as a 501(c)(3) non-profit entity. The application fee for the City is \$3,500 with an annual fee of \$250, and the application fee will come from the existing FY 2005-06 budget, and the annual fee will be budgeted as part of future year's budgets.

Ms. Jennifer Stultz, Mayor of Gastonia and a National Representative of Keep America Beautiful, Inc. informed the Council that the organization promotes litter prevention, recycling and community beautification. The guiding principles of the organization are education, volunteerism, individual responsibility, and partnerships to improve the environment of a community. The benefits to the City will be consolidation of activities related to litter prevention, recycling, and beautification; leveraging City funds with contributions from businesses, organizations, and the general public; developing a network of volunteers to keep Greenville beautiful; developing an education and public relations network; increasing community beautification events; reducing litter by changing attitudes; providing recognition and pursuit of grant opportunities; and measuring the City's improvement each year through Keep America Beautiful measurement tools.

Motion was made by Council Member Spell and seconded by Council Member Craft to authorize submission of an application to Keep America Beautiful, Inc. for the City of Greenville to become an affiliate. Motion carried unanimously.

Mayor Pro-Tem Council congratulated Mayor Stultz for being awarded a national award at the National League of Cities meeting in December.

ORDINANCE REQUESTED BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT (AS RECOMMENDED BY THE TASK FORCE ON THE PRESERVATION OF NEIGHBORHOODS AND HOUSING) REZONING PROPERTY LOCATED NORTH OF THE NORFOLK SOUTHERN RAILROAD, WEST OF GREENVILLE BOULEVARD, SOUTH OF TENTH STREET, AND EAST OF FORNES RUN, FROM R9 TO R9S AND FROM R6 TO R6S – ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on January 2 and January 9, 2006 setting this time, date and place for a public hearing to consider a request by the Planning and Community Development Department (as recommended by the Task Force on Preservation of Neighborhoods and Housing) to rezone 249± acres (excluding street rights-of-way) located north of the Norfolk Southern Railroad, west of Greenville Boulevard, south of Tenth Street, and east of Fornes Run, from R9 to R9S and

from R6 to R6S. At its December 20, 2005 meeting, the Planning and Zoning Commission voted to recommend approval of the request with the exception of five lots along the eastern right-of-way of Brownlea Drive.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that this request originated with the Task Force on the Preservation of Neighborhoods and Housing's improvement strategy to identify neighborhoods that are predominately single family in character, but are zoned in a manner that would permit intrusion of duplexes or multifamily and rezone those neighborhoods to prohibit further intrusion. There are two zoning areas within this site, approximately 237 acres of R9 and 11 acres of R6, for a combined total of 249 acres. The Land Use Plan recommends medium density residential zoning for this area. There will be some nonconforming uses in this area that will be created if this area is rezoned to single family. There is a small area that is impacted by the floodway and floodplain off of Green Mill Run that bisects the rezoning area. Owner-occupied dwellings make up approximately 72 percent and the rental property makes up approximately 28 percent of the dwelling units. The goal of the rezoning is to provide an added measure of neighborhood stability and demonstrate the City's commitment to single-family neighborhood preservation as part of a comprehensive housing revitalization strategy. Portside Development Company is in the process of developing a tract of land purchased from the City off of Brownlea Drive that has been included in this request. At the Planning and Zoning Commission, Mr. Bill Lee of the Company explained that they are currently building duplexes on the tract. Their concern is that a small portion of Brownlea Drive will create a nonconforming use. It was requested that this small portion of Brownlea Drive be excluded from the request so that a nonconforming issue is not created. The construction of the duplexes has been approved, a building permit issued, and the duplexes are currently under construction. The Planning and Zoning Commission recommended approval of the rezoning request, with the exclusion of the five lots, which would be portions of Lots 10A-12B of Fornes Run Subdivision.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Murray Merner, President of College Court/Coghill Neighborhood Association, expressed his appreciation to the City and Neighborhood Preservation Committee for making this recommendation. He stated that they feel there is a need to preserve the integrity of single-family dwellings in the City. Single-family dwellings are the root and heart of a city. Preservation of their neighborhood is vital to all neighborhoods in the preservation effort. Mr. Merner encouraged the Council to approve the request. He encouraged the Council to keep America beautiful.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Dunn and seconded by Council Member Craft to adopt the ordinance rezoning 249± acres, excluding the five lots (Lots 10A-12B) owned by Postside Development Company, located north of the Norfolk Southern Railroad, west of Greenville Boulevard, south of Tenth Street, and east of Fornes Run, from R9 to R9S and from R6 to R6S. Motion carried unanimously. (Ordinance No. 06-03)

ORDINANCE REZONING LANGSTON FARMS, LLC LOCATED NORTH OF SOUTH SQUARE DRIVE, WEST OF THE SEABOARD COASTLINE RAILROAD, SOUTH OF WESTHAVEN SUBDIVISION, AND EAST OF MEMORIAL DRIVE, FROM RA 20 TO O, CG, AND R9S - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on January 2 and January 9, 2006 setting this time, date and place for a public hearing to consider a request by Langston Farms, LLC to rezone 69.760 acres located north of South Square Drive, west of the Seaboard Coastline Railroad, south of Westhaven Subdivision, and east of Memorial Drive, from RA20 to O, CG, and R9S. The Planning and Zoning Commission at its December 20, 2005 meeting voted to recommend approval of the request.

Mr. Hamilton delineated the property on a map and stated that this is a request to rezone approximately 70 acres from Residential/Agricultural to Office, General Commercial and Residential/Single-Family. The property is currently vacant and there is a single-family dwelling on the corner, commercial along Memorial Drive, single-family to the north and vacant and multifamily property to the south. The property is not impacted by the floodway or floodplain. Memorial Drive is designed as a gateway corridor, and Thomas Langston Road is designated as a residential corridor. Memorial Drive and Evans Street are designated as major thoroughfares and Thomas Langston Road as a minor thoroughfare. The proposed rezoning would generate a net increase of 3,400 trips per day, with 2,200 trips to the north and 1,200 trips to the south. The Land Use Plan recommends some office zoning along Memorial Drive, with some commercial. The office zoning east of the commercial zoning would serve as a buffer to the medium-density residential area.

Council Member Little asked to be excused from voting on this issue because of a conflict of interest. Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to excuse Council Member Little from voting on this issue due to a conflict of interest. Motion carried unanimously.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Mike Baldwin, representing the petitioner, stated that this request is positive for the property owner, the City and Westhaven. There was a neighborhood meeting held to explain this request to the residents, and it was a good meeting. The request received unanimous approval from the Planning and Zoning Commission. He encouraged the Council to approve the request.

Mr. Bill Ervin, President of the Old Westhaven Neighborhood Association, stated that he appreciated Tom Tysinger, and Council Members Little and Dunn for meeting with them. It is positive for the neighborhood. He encouraged the Council to vote in favor of this request.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance rezoning 69.760 acres located north of South Square Drive, west of the Seaboard Coastline Railroad, south of Westhaven Subdivision, and east of Memorial Drive, from RA20 to O, CG, and R9S. Motion carried unanimously. (Ordinance No. 06-04)

ORDINANCE ANNEXING WELLSRING PROPERTIES, LLC LOCATED ON THE  
NORTH SIDE OF CHAPMAN ROAD AND SOUTH OF SOUTH HAVEN APARTMENTS –  
ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on January 2, 2006 setting this time, date and place for a public hearing to consider a request by Wellspring Properties, LLC to annex 1.25 acres located on the north side of Chapman Road and south of South Haven Apartments. This is a contiguous annexation.

Mr. Merrill Flood, Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is commercial development. The current population is 0, and the anticipated population at full development is 0.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Craft to adopt the ordinance annexing 1.25 acres located on the north side of Chapman Road and south of South Haven Apartments. Motion carried unanimously. (Ordinance No. 06-05)

ORDINANCE ANNEXING IRISH CREEK, SECTION TWO, PHASE 2 LOCATED SOUTH  
OF TREETOPS SUBDIVISION AND NORTH OF WEST MEATH DRIVE - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on January 2, 2006 setting this time, date and place for a public hearing to consider a request by MLH Development, LLC to annex Irish Creek, Section Two, containing 12.90 acres located south of Treetops Subdivision and north of West Meath Drive. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is for 37 single-family dwellings. The current population is 0, and the anticipated population at full development is 87, with an expected minority population of 14.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Council to adopt the ordinance annexing Irish Creek, Section Two, containing 12.90 acres located south of Treetops Subdivision and north of West Meath Drive. (Ordinance No. 06-06)

ORDINANCE ANNEXING LYNNDALE EAST, SECTION THREE, LOTS 2 AND 3, BLOCK B, AND LOTS 2-8 AND 13-17, BLOCK D, AND LOTS 26-33, BLOCK E LOCATED AT THE SOUTHERN TERMINUS OF COMPTON ROAD AND NOTTINGHAM ROAD - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on January 2, 2006 setting this time, date and place for a public hearing to consider a request by Ann Evans Brewer, President of Greenbrier Realty Co., Inc. et al to annex Lynndale East, Section Three, Lots 2 and 3, Block B, and Lots 2-8 and 13-17, Block D, and Lots 26-33, Block E containing 10.97 acres located at the southern terminus of Compton Road and Nottingham Road. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is for 22 single-family dwellings. The current population is 0, and the anticipated population at full development is 52, with an expected minority population of nine.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Council to adopt the ordinance annexing Lynndale East, Section Three, Lots 2 and 3, Block B, and Lots 2-8 and 13-17, Block D, and Lots 26-33, Block E, containing 10.97 acres located at the southern terminus of Compton Road and Nottingham Road. Motion carried unanimously. (Ordinance No. 06-07)

ORDINANCE ANNEXING LYNNDALE EAST, SECTION 3, LOTS 7-10, BLOCK A, LOCATED NORTH OF REMINGTON DRIVE AND WEST OF CROMWELL DRIVE - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on January 2, 2006 setting this time, date and place for a public hearing to consider a request by Greenbrier Realty Co. Inc. to annex Lynndale East, Section 3, Lots 7-10, Block A, containing 3.120 acres located north of Remington Drive and west of Cromwell Drive. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is for four single-family dwellings. The current population is 0, and the anticipated population at full development is nine.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Craft to adopt the ordinance annexing Lynndale East, Section 3, Lots 7-10, Block A, containing 3.120 acres located north of Remington Drive and west of Cromwell Drive. Motion carried unanimously. (Ordinance No. 06-08)

ORDINANCE ANNEXNG WIMBLEDON PARK, REMAINDER OF LOT 5, LOCATED WEST OF THE INTERSECTION OF WIMBLEDON DRIVE AND BORG DRIVE - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on January 2, 2006 setting this time, date and place for a public hearing to consider a request by the Tucker Company to annex Wimbledon Park, remainder of lot 5 containing 3.1895 acres located west of the intersection of Wimbledon Drive and Borg Drive. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is for 46 multi-family dwelling units. The current population is 0, and the anticipated population at full development is 108, with an anticipated minority population of 19.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Glover to adopt the ordinance annexing Wimbledon Park, remainder of lot 5, containing 3.1895 acres located west of the intersection of Wimbledon Drive and Borg Drive. Motion carried unanimously. (Ordinance No. 06-09)

ORDINANCE ANNEXNG BRISTOLMOOR, SECTION 2 LOCATED NORTH OF FORLINES ROAD AND WEST OF BRISTOLMOOR, SECTION 1 - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on January 2, 2006 setting this time, date and place for a public hearing to consider a request by Wellspring Properties, LLC to annex Bristolmoor, Section 2, containing 17.213 acres located north of Forlines Road and west of Bristolmoor, Section 1. This is a noncontiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is for 46 single-family dwellings on this property. The current population is 0, and the anticipated population at full development is 108, with estimated minority population to be 28.

Upon being asked how close this property is to fire protection. Mr. Flood responded that it is just barely within the required five-mile range.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Council to adopt the ordinance annexing Bristolmoor, Section 2, containing 17.213 acres located north of Forlines Road and west of Bristolmoor, Section 1. Motion carried unanimously. (Ordinance No. 06-10)



### PUBLIC COMMENT PERIOD

Mr. Frank Schenck appeared before the Council and requested \$499.95 plus tax to purchase a DVD player needed for the Public Access Channel.

Mr. Lee Roy Rodman appeared before the Council and explained his plight that began in the early nineties when he was required to leave the place of business he leased due to the fact that there was no running water, etc. The property was only to be used for dead space. Since that time, Mr. Rodman has been having difficulty making a living, lives in his van, and works in inhumane conditions at Auto Salvage at 700 North Greene Street. He asked to be compensated by the City. (As Mr. Rodman was speaking and at his request, the City Clerk distributed to the Council pictures that showed the conditions in which Mr. Rodman was living.)

Upon being asked by Mr. Rodman when the City would respond to his request, Mayor Parrott informed him that staff would work on this and get back with Mr. Rodman if there is a need to.

### ORDINANCE AMENDING SECTION 11-10-11 OF THE CITY CODE REGARDING MASSAGE THERAPISTS - ADOPTED

City Clerk Wanda Elks explained to the Council that massage therapists are currently exempt from the provisions of the massage parlor ordinance if they are members of the American Massage Therapy Association or a similar situation, and this has been the case since 1992. Massage therapy is now taught at many schools and it has come to the attention of staff that many of the massage therapists are not members of professional associations. Massage therapists are currently regulated by the State. It was suggested by an instructor of Massage Therapy that a better way to exempt them from the provisions of the massage parlor ordinance would be to exempt treatments given “by a person licensed under the provisions of the North Carolina Massage and Bodywork Therapy Practice Act,” as this can be tracked through the website and licenses will be withdrawn by the State if the person is not operating ethically.

Motion was made by Council Member Craft and seconded by Council Member Little to adopt the ordinance amending Section 11-10-11 of the City Code regarding Massage Therapists. Motion carried unanimously. (Ordinance No. 06-01)

### ORDINANCE ESTABLISHING ARTICLE B OF CHAPTER 1 OF TITLE 3 OF THE GREENVILLE CITY CODE RELATING TO INFRASTRUCTURE AGREEMENTS - ADOPTED

City Attorney Holec stated that during the 2005 Session of the North Carolina General Assembly, a law was enacted, with an effective date of January 1, 2006, which provides enabling authority for local governments to enter into agreements with property owners and developers that construct or install infrastructure for use by the general public. Property owners and developers, as a condition of development permission, routinely construct or install public infrastructure improvements on property that is eventually dedicated to the City or a public agency. For example, the subdivision regulations for the City require property owners to build the public improvements associated with the development such as the streets, sidewalks, and utilities and then dedicate them to the City for the use by the public. However, in some cases, it

may be desirable for a property owner or developer to construct improvements that serve more than just the development. The new law establishes the authority for the City to enter into an agreement with the property owner or developer to provide for the construction of the oversized public infrastructure improvements. In general, the expense for the public infrastructure improvements would be the responsibility of the City to the extent that the improvements are “oversized”. The new law provides the enabling authority for three separate mechanisms for these infrastructure agreements. In order to implement these mechanisms, an ordinance is either required or permitted, which sets out the procedures and terms under which the City may enter into agreements. The ordinance allows the city to use these mechanisms in the appropriate situation. It has three sections, which follow the three mechanisms authorized by the new law. For each mechanism, the City Manager, or his designee, is authorized to negotiate the agreement and each agreement is required to be approved by City Council. Other provisions relating to bidding requirements are included as required by the new law. The three mechanisms for infrastructure agreements are:

- Municipal infrastructure reimbursement agreements (Section 3-1-11). This provision allows an agreement with a developer or property owner for municipal infrastructure such as water, sewer, stormwater, and street improvements. It applies to the construction of municipal infrastructure anywhere within the City’s planning jurisdiction, which is included on the City’s Capital Improvement Plan.
- Intersection and roadway improvements contracts (Section 3-1-12). This provision allows a contract with a developer or property owner, or a private party under contract with a developer or property owner, for public intersection or roadway improvements that lie within the corporate limits which are adjacent to or ancillary to the private land development project.
- Public enterprise improvements contracts (Section 3-1-13). This provision allows a contract with a developer or property owner, or a private party under contract with a developer or property owner, for public enterprise improvements (such as water, sewer, and stormwater) that are adjacent or ancillary to the private land development project.

Having these three mechanisms available to the City will provide flexibility in constructing public infrastructure improvements. The safeguard of City Council approval for each agreement is provided in the ordinance. An upcoming example of where this may be utilized is an infrastructure agreement with the property owner relating to the construction of the Thomas Langston Road Extension Road. The adoption of the ordinance will provide the necessary authority for the city to utilize infrastructure agreements in the appropriate circumstances.

Motion was made by Council Member Craft and seconded by Council Member Glover to adopt the ordinance establishing Article B of Chapter 1 of Title 3 of the Greenville City Code relating to infrastructure agreements. Motion carried unanimously. (Ordinance No. 06-02)

#### PURCHASE OF PROPERTY AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MARTIN LUTHER KING, JR. DRIVE AND ALBEMARLE STREET - APPROVED

City Attorney Holec stated that the property located at the southeast corner of the intersection of Martin Luther King, Jr. Drive and Albemarle Street is an important site in the revitalization of West Greenville. The property is currently vacant, and consists of two parcels—a 1.67 acre

parcel owned by the 1960 Corporation (formerly The Pi Kappa Alpha Fraternity House Corporation, Inc.) having an appraised value of \$125,000, and a .15 acre parcel owned by William Earl Myers having an appraised value of \$11,000. The 1960 Corporation has agreed to sell the 1.67-acre parcel for \$85,000, and Mr. Myers has agreed to sell the .15-acre parcel for \$7,500. The agreement to purchase is conditioned upon City Council approval.

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Council to approve the purchase of the 1.67-acre parcel from 1960 Corporation for \$85,000 and to approve the purchase of the .15-acre parcel from Mr. Myers for \$7,500. Motion carried unanimously.

#### PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT REORGANIZATION - APPROVED

City Manager Bowers stated that two people left one division in the Planning and Community Development Department, providing an opportunity to look at reorganization.

Mr. Merrill Flood, Director of Planning and Community Development, stated that to accomplish the critical work of the department, particularly recognizing the importance that core area revitalization and neighborhood strengthening will have in the future, the Department is proposing reorganization in two parts as follows:

The first part involves combining current Long Range Planning and Land Development Divisions into a new Planning Division and strengthening redevelopment and preservation activities in the Urban Development Division, which involves salary grade reductions of the Senior Planner and Planner II positions in the old Long Range Planning Division to Planner I classifications and reassignment. One of the positions will handle long-range planning functions in the new Planning Division; the other Planner I position will be assigned to the Urban Development Division to focus on redevelopment activities and historic preservation efforts. These staff reassignments can better address the areas mentioned and streamline the planning function. Also, in an effort to expand data collection and analysis functions, the addition of a new GIS Technician position is proposed within the new Planning Division. Considering lapsed salaries as a result of vacancies in the Long Range Planning Division and the replacement of the Deputy Director position with a Senior Planner for Redevelopment, existing funds should be available to handle these positions within the current fiscal year budget.

The Task Force on Preservation of Neighborhoods and Housing report identified several initiatives needed to help neighborhoods remain viable. In light of the report, the second part of this reorganization involves the transfer of the Neighborhood Services Division presently within the Police Department to the Planning and Community Development Department as a new Code Enforcement Division. When Neighborhood Services was originally created in 1997, it was part of the Planning and Community Development Department. In order to increase coordination as part of a community policing initiative, the City Manager transferred Neighborhood Services to the Police Department in March 2003. Although the objective of increased coordination with police functions has been achieved, the City Manager prefers that the original focus of Neighborhood Services as part of a comprehensive planning and community development strategy be restored. This organizational change will also allow the Police Department to better focus on its primary criminal law enforcement mission. The coordination efforts between Code

Enforcement and the Police Department will be continued even after this organization realignment. The inclusion of code enforcement activities in a planning/community development department is the standard organizational structure in most cities.

This move will more readily align neighborhood-based activities currently within Neighborhood Services with planning, land use regulation, and other departmental efforts to strengthen neighborhoods. With this alignment, a more streamlined, integrated approach to planning and code enforcement will take place to implement strategies to improve the community.

A major benefit to the transfer will be a stronger linkage to neighborhood-based planning and improvement strategies by linking planning, housing, redevelopment activities, and code enforcement into one department. This will result in better coordination and service. This will be especially evident with the revitalization program where the Department will be able to provide better coordination in the assessment of properties and structures and assistance to property owners before initiating any code enforcement process.

In response to the 2005 City Council objective to better coordinate services and avoid duplication, the City Manager appointed a Coordinated Services Committee last April with representatives from each department. One of the recommendations of this Committee presented in September was to combine zoning and neighborhood services code enforcement activities. As recommended by the Coordinated Services Committee, a long-term goal is to transition all code enforcement activities, including zoning code enforcement, under the Code Enforcement Division. On-street parking enforcement and animal control responsibilities, which are traditional public safety functions, will remain with the Police Department. A physical move of Neighborhood Services to the Bank of America Building is necessary to fully accomplish the transfer. The remaining office space on the second floor has recently been vacant. Discussions with the property management agent for the Building have taken place to determine if the additional space can be rented until the renovations are completed at City Hall. The property manager provided a proposal that would be an amendment to the existing lease with the City and includes a lease rate of \$10 per square foot for the space. In addition, as part of the proposed lease amendment, he has agreed to make available 880 square feet of storage space for use by the current departments located in the Bank of America Building. The storage space would be leased for \$6 per square foot. The total additional leased space would be 3,373 square feet and the additional cost to the City would be \$2,517.50 per month. Funds are available in the Planning and Community Development Department budget to cover these increased rental costs for the remainder of the fiscal year.

Motion was made by Council Member Craft and seconded by Council Member Spell to authorize the creation of a GIS Technician I position in the Community Development Department and to authorize an amendment to the current agreement to lease 3,373 square feet of additional space on the second floor of the Bank of America Building. Motion carried unanimously.

### RESOLUTION AUTHORIZING LEASE PURCHASE FINANCING - ADOPTED

Ms. Bernita Demery, Director of Financial Services, stated that lease purchase financing is one of the City's sources of funding identified in the Capital Improvement Plan. In the current year's budget, there is \$1,697,048 of equipment to be financed in this manner. A request for proposals was sent to 24 banks or financing copies, and the responses received have been reviewed. The recommendation of staff is approval of a lease purchase resolution and financing with RBC Centura at a rate of 3.89%.

Motion was made by Council Member Craft and seconded by Council Member Glover to adopt the resolution authorizing lease-purchase financing with RBC Centura at a rate of 3.89%. Motion carried unanimously. (Resolution No. 06-04)

### BUDGET ORDINANCE AMENDMENT #6 TO THE 2005-2006 CITY OF GREENVILLE BUDGET AND CAPITAL PROJECT BUDGET ORDINANCE FOR THE STANTONSBURG ROAD/TENTH STREET CONNECTOR - ADOPTED

Ms. Demery stated that the amendment increases the General Fund by \$1,200 and the Stantonburg Road/Tenth Street Connector Project Fund by \$6,022,000.

Motion was made by Council Member Craft and seconded by Council Member Glover to adopt the ordinance approving budget amendment #6 to the 2005-2006 City of Greenville Budget and the Capital Project Budget Ordinance for the Stantonburg Road/Tenth Street Connector. Motion carried unanimously. (Ordinance Nos. 06-11 and 06-12)

### COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS

Council Member Little congratulated Council Member Craft on his recent marriage.

Council Member Spell thanked the four people who volunteered to serve on the Citizens Advisory Commission on Cable Television. The first meeting of the new group will be next week.

Mayor Pro-Tem Council requested that the comments made by Mr. Rodman be addressed and she stated that she hopes the City can follow through quickly with him to see if there is any way it can help this situation. She also referred to a letter received from Mr. Northern Lanier and stated that it needs to be revisited as well. She asked that staff follow up as soon as possible. The City Manager indicated that the City Attorney and he would follow up.

Council Member Dunn stated that Monday is Martin Luther King, Jr.'s Birthday. There will be a Community Unity Breakfast at the Murphy Center as well as other events throughout the weekend.

Mayor Pro-Tem Council stated that the march for Martin Luther King's birthday will be held on Monday at 10:00 and it will go from the Eppes Center to the Courthouse. She asked the Community to be engaged.

Council Member Council stated that Bishop Tutu's daughter spoke at East Carolina University last night and she went to see her. She stated that Bishop Tutu's daughter encouraged everyone to understand their history and do their best to work through the good and bad to have peaceful communities here and around the world. East Carolina University also has events. She invited everyone to come out and participate in Martin Luther King, Jr. events.

Council Member Glover apologized to Mr. Flood for not asking him any questions about the reorganization, as she had discussed it extensively with the City Manager.

Mayor Parrott stated that Randy Royal is still in the hospital and needs everyone's prayers.

### CITY MANAGER'S REPORT

City Manager Bowers stated that as a follow-up to the South Coast League, Council Member Craft requested that a committee be appointed to look at professional baseball and the possibility of having it in this community. The Mayor suggested that if the Council had people interested in serving, to contact the City Manager. Council Members Craft and Glover indicated that they were interested in serving. Staff was to come up with the structure. The suggested structure was Council Member Craft as Chair, Council Member Glover, Council Member Little as Liaison to the Recreation and Parks Commission, the Chairman and Vice-Chairman of the Recreation and Parks Commission. This will be a five-member committee to look at professional baseball possibilities. This will be a committee of the Council and will be subject to the open meetings law.

Council Member Glover stated that she received a call from someone she worked with about getting a professional team. He was familiar with the group that spoke to this Council and is willing to offer his services if the City wishes. He is willing to work on the committee and help them.

Mayor Parrott suggested that would be up to the Committee.

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to appoint a committee to look at professional baseball and possibilities that would consist of Council Member Craft as Chair, Council Member Glover, Council Member Little as Liaison to the Recreation and Parks Commission, the Chairman and Vice-Chairman of the Recreation and Parks Commission. Motion carried unanimously.

Mayor Pro-Tem Council stated that the United Way recently had its annual meeting, and the City was presented with three awards because of its efforts with this year's campaign.

### CLOSED SESSION

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to go into closed session to establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of terms of a

contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Motion carried unanimously.

OPEN SESSION

Motion was made by Council Member Craft and seconded by Council Member Glover to return to open session. Motion carried unanimously.

ADJOURN

Motion was made by Council Member Spell and seconded by Council Member Dunn to adjourn the meeting at 9:05 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC  
City Clerk